

Remarks

Claims 1-31 were pending in this application prior to this response. All claims were rejected. Claims 1, 11, 12, 17, 26, and 27 have been amended herein. Claims 10 and 25 have been cancelled herein. New claims 32-34 have been added and do not add new matter to the application. Reconsideration of all rejected claims is requested.

I. Objection to the Drawings

The drawings were objected to for not showing every feature of the invention specified in the claims. The office action states that the drawings do not show the housing with an opening and a rotatable abrasive disc having a diameter greater than 6"; a motor connected to the disc by a belt; and a port adjacent the second housing and a vacuum device.

Fig. 5 has been added to the application and shows the features described above. The applicants note that Fig. 5 is based on a drawing filed with the provisional application (serial number 60/402,361 filed on August 8, 2002) from which the present application is based. A copy of the drawing as filed is attached hereto as attachment 1. In addition, a copy of a parts list, which was also filed with the provisional application is attached hereto as attachment 2.

Fig. 5 shows the above-described features of the claims. It is apparent from Fig. 5 that the first housing (104) has an opening because the parts underneath the housing (104) are located in the opening. The dimensions of the abrasive disc are described in the specification and are applicable to Fig. 5. The belt is shown as reference numeral 260. The applicants note that the vacuum device was not claimed. Rather, the port being connectable to a vacuum device was claimed.

Based on the foregoing, the applicants contend that the objections to the drawings have been overcome.

II. Objection to the Disclosure

A portion of page 2 was objected to due to a typographical error. The error has been corrected. Therefore, the objection has been overcome.

III. Rejection of Claims 10-12 and 25-27 Under 35 U.S.C. §112, First Paragraph

Claims 10-12 and 25-27 were rejected under 35 U.S.C. §112, first paragraph. The office action states that the specification is not enabling for a fan located in the first housing. Likewise, according to the office action, the specification was not enabling for the port located in the first housing. The clarification of claims 12 and 27 provided herein and newly added Fig. 5 serve to enable the claims. The fan and first port are shown being associated with the first housing.

Based on the foregoing, the applicants contend that the rejections have been overcome and request reconsideration of the rejections.

IV. Rejection of Claims 12 and 27 Under 35 U.S.C. §112, Second Paragraph

Claims 12 and 27, prior to this response, recited a second housing without antecedent basis. Claims 12 and 27 have been amended herein so as to recite a first housing. Therefore, the applicants contend that the rejections of claims 12 and 27 have been overcome and the applicants request reconsideration of the rejections.

V. Rejection of Claims 1-11, 13, 15-26, 28, 30 and 31 Under 35 U.S.C. §103(a)

Claims 1-11, 13, 15-26, 28, 30 and 31 were rejected under 35 U.S.C. §103(a) as being unpatentable over Gurstein et al. (5,870,791) in view of McCutchen (6,540,598).

CLAIM 1

Claim 1, as amended herein, is restated as follows:

1. A wood floor edger comprising:
 - a first housing comprising an opening and a rotatable abrasive disc located in said opening, said rotatable abrasive disc having a diameter greater than six inches;
 - a motor operatively connected to said first housing and drivingly connected to said abrasive disc; and
 - a fan located in said first housing, said fan being drivingly connected to said motor.

According to the office action, Gurstein discloses all the limitations of claim 1, except for the weight limitation, which has been removed in this response.

The fan of cancelled claim 10 has been added to claim 1. The fan of claim 1 is located in the same housing as the rotatable abrasive disc. As shown in Fig. 1 of Gurstein, the fan (18) is not located in the same housing as the disc. Therefore, Gurstein does not disclose all the elements of claim 1.

McCutchen is related to a vacuum shroud and does not disclose a fan. Therefore, neither Gurstein, McCutchen, nor their combination disclose all the elements of claim 1 and, thus, they cannot render claim 1 obvious.

Based on the foregoing, the applicants contend that claim 1 is allowable and request reconsideration of the invention.

CLAIMS 2-10, 13, 15, AND 16

Claims 2-9, 13, 15, and 16 are deemed allowable by way of their dependence on claim 1 and for other reasons. Therefore, the applicants request reconsideration of the rejections.

CLAIM 11

Claim 11 is dependent on claim 1 and, as amended herein is restated as follows:

The wood floor edger of claim 1, wherein said fan is located within a compartment within said first housing.

As set forth above, the cited references do not disclose a fan in the same housing as the abrasive disc. Therefore, neither reference nor their combination can disclose "wherein said fan is located within a compartment within said first housing" as recited in claim 11.

CLAIM 17

Claim 17, as amended herein, is restated as follows:

A wood floor edger comprising:

a first housing comprising an opening and a rotatable abrasive disc located in said opening, said rotatable abrasive disc having a diameter greater than six inches;

a motor operatively connected to said first housing and drivingly connected to said abrasive disc;

a fan located in said first housing, said fan being drivingly connected to said motor; and

a motor controller electrically connected to said motor;

wherein said motor is operable at a speed that is preselected by said motor controller.

Claim 17 was rejected on the same grounds as claim 1. As with claim 1, claim 17 recites "a fan located in said first housing." The first housing also comprises the rotatable abrasive disc.

As stated above, none of the cited references nor their combination disclose a fan and a rotatable disc in the same housing. Thus, neither the cited references nor their combination disclose all the elements of claim 17 and they cannot render claim 17 obvious.

Based on the foregoing, the applicants contend that claim 17 is allowable and request reconsideration of the invention.

CLAIMS 18-24, 28, 30, AND 31

Claims 18-24, 28, 30, and 31 are deemed allowable by way of their dependence on claim 17 and for other reasons. Therefore, the applicants request reconsideration of the rejections.

CLAIM 26

Claim 26 is dependent on claim 17 and is restated as follows:

The wood floor edger of claim 17, wherein said fan is located within a compartment within said first housing.

As set forth above, the cited references do not disclose a fan in the same housing as the abrasive disc. Therefore, neither reference nor their combination can disclose "wherein said fan is located within a compartment within said first housing" as recited in claim 26.

V. Rejection of Claims 12, 14, 27, and 29 Under 35 U.S.C. §103(a)

Claims 12, 14, 27, and 29 were rejected under 35 U.S.C. §103(a) as being unpatentable over Gurstein et al. (5,870,791) in view of McCutchen (6,540,598) as applied to claims 1, 9, 17, and 25, and further in view of anyone of Barous (5,890, 954), Palushi (6,616,517) or Stewart (6,027,399).

Claims 12, 14, 27, and 29 are dependent on allowable base claims and are deemed allowable by way of their dependence and for other reasons.

VI. New Claims 32-34

Claims 32-34 have been added. The new claims do not introduce new matter to the application.

In view of the above, all of the pending claims are now believed to be in condition for allowance and a notice to that effect is earnestly solicited.

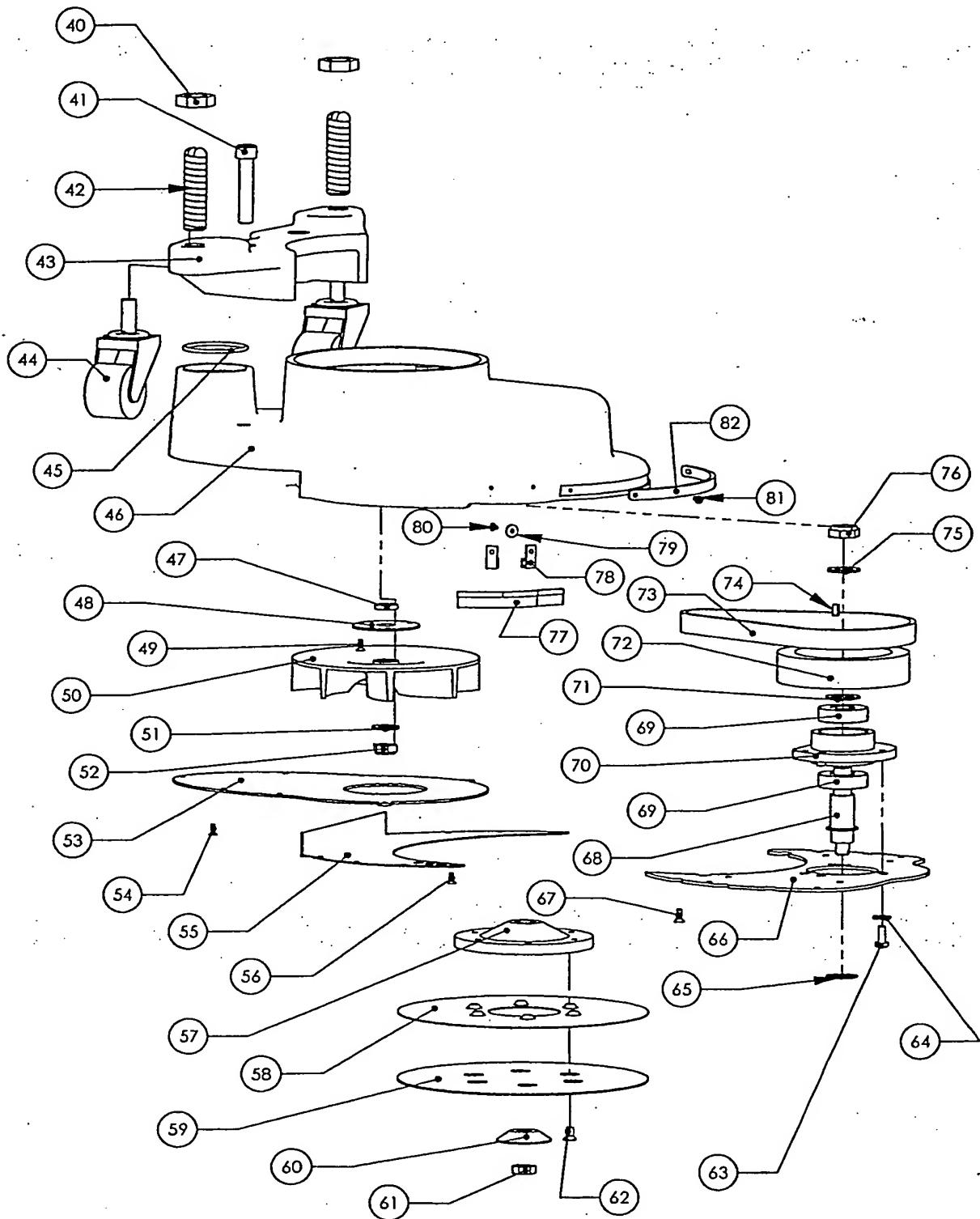
Respectfully submitted,
KLAAS, LAW, O'MEARA & MALKIN, P.C.

Dated: October 22, 2004

By:

RW Nelson
Robert W. Nelson
Reg. No. 37,898
1999 Broadway, Suite 2225
Denver, CO 80202
Tel: (303) 298-9888
Fax: (303) 297-2266

ADVANTEDGE EXPLODED VIEW



PARTS LIST

Please use Bona Part Number and Name on all orders

	DESCRIPTION	QTY	P/N
40	5/8-11 CASTOR ADJ. JAM NUT	2	AS3000181
41	3/8-16 X 2" SOCKET HEAD CAP SCREW	2	MISC - ITEM #41 - ADVANTEDGE
42	CASTOR ADJ. POST	2	AS3000168
43	CHASSIS, CASTOR BRACKET	1	AS3000166
44	CASTOR WITH POST 5/16 - 18 X 1"	2	AS3000182
45	"O" RING - DUST EXHAUST	2	AS3000187
46	CHASSIS, BASE	1	AS3000164
47	SEAL, MOTOR SHAFT	1	AS3000188
48	RETAINER, SEAL	1	AS3000226
49	4-40 X 1/4" PHIL FLAT SCREW	3	MISC - ITEM # 81 - ADVANTEDGE
50	FAN, DUST	1	AS3000179
51	3/8" FLAT WASHER	1	MISC - ITEM #51 - ADVANTEDGE
52	3/8 - 24 NYLOC THIN JAM NUT	1	MISC - ITEM #52 - ADVANTEDGE
53	FAN COVER PLATE ASSEMBLY	1	AS3000199
54	4 - 40 X 1/4" PHIL FLAT SCREW	7	MISC - ITEM # 81 - ADVANTEDGE
55	PLATE, MOON	1	AS3000175
56	4 - 40 X 1/4" PHIL FLAT SCREW	8	MISC - ITEM #81 - ADVANTEDGE
57	SANDING CENTER	1	AS3000171
58	SANDING DISC	1	AS3000174
59	VELCRO DISC, RED	1	AS0222059
60	PAPER RETAINING WASHER	1	AS0222053
61	3/8 - 24 THIN JAM NUT	1	MISC - ITEM # 61 - ADVANTEDGE
62	10 - 24 X 3/8"PHIL FLAT SCREW	6	AS3000180
63	10 - 32 X 1/2" PHIL PAN	3	MISC - ITEM #63 - ADVANTEDGE
64	#10 FLAT WASHER	3	MISC - ITEM #64 - ADVANTEDGE
65	ANTI-SEAZING WASHER	1	AS3000152
66	PLATE, BEARING MOUNTING ASSEMBLY	1	AS3000190
67	6 - 32 X 3/8" PHIL FLAT	8	MISC - ITEM #67 - ADVANTEDGE
68	BEARING SHAFT	1	AS3000169
69	BEARING 6003	2	AS0916003
70	BEARING BLOCK W/PIN	1	AS3000170
71	WASHER, DISHED 5/8	1	AS3000186
72	LARGE PULLEY	1	AS3000183
73	DRIVE BELT	1	AS3000189
74	KEY, 1/8" X .375	1	AS3000154
75	1/2" FLAT WASHER	1	MISC - ITEM #75 - ADVANTEDGE
76	NUT NYLOC THIN HEX 1/2" - 20	1	AS3000153
77	BRUSH 3" STRIP	1	AS3000155
78	BRUSH HOLDER	2	AS3000157
79	WASHER, #4 NYLON	1	MISC - ITEM #79 - ADVANTEDGE
80	4 - 40 X 3/16" PHIL PAN SCREW	2	MISC - ITEM #80 - ADVANTEDGE
81	4 - 40 X 1/4" PHIL FLAT SCREW	2	MISC - ITEM # 81 - ADVANTEDGE
82	BUMPER STRIP	1	AS3000158